

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE:
Anthony Michael Capone,

Debtor

IN PROCEEDINGS UNDER CHAPTER 7

Case No. 08-13320-JNF

ASSENTED MOTION OF WASHINGTON MUTUAL BANK, FA
TO CONTINUE HEARING ON MOTION FOR RELIEF FROM STAY

NOW COME, the parties **Washington Mutual Bank, FA** its successors and/or assigns (“Secured Creditor”) and Anthony Michael Capone (“Debtor”) and hereby requests that they be granted a continuance on the hearing on Secured Creditor’s Motion for Relief from Automatic Stay (the “Motion”) dated July 3, 2008 and filed as docket number 12. In support hereof, the parties, state that they believe the continuance will allow the parties time to resolve the matter.

WHEREFORE, the parties respectfully request the Court allow the parties to continue the hearing presently scheduled for August 20, 2008 at 10:15 am for two weeks or a date thereafter that is convenient with the Court’s schedule

Respectfully submitted,
For Secured Creditor,
By its attorneys,

/s/ Amy Lipman-White
Jon S. Davis, Esq. (BBO #115920)
Amy Lipman-White
(BBO #559230)
Stanton & Davis
1000 Plain Street
Marshfield, MA 02050

Respectfully submitted,
Anthony Michael Capone
By his attorney,

/s/ Kathleen L. Kane
Kathleen L. Kane, Esq.
Spillane Law Offices
1212 Hancock Street
Quincy, MA 02169

Dated: August 18, 2008

Jon M. Fennell

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CERTIFICATE OF SERVICE

I, Amy Lipman-White, Esquire, hereby certify that I served the foregoing Assented to Motion by Secured Creditor to Continue Hearing on Motion for Relief from Automatic Stay and Certificate of Service on August 18, 2008 by causing copies of the same to be sent via electronic mail or to be mailed, first class postage prepaid, to all those listed below.

Anthony Michael Capone
500 Willard Street, Unit 402
Quincy, MA 02169
Debtor
Via USPS

Mark G. DeGiacomo
Murtha Cullina, LLP
99 High Street
Boston, MA 02110
Chapter 7 Trustee
Via electronic mail

John Fitzgerald
Office of the U.S. Trustee
10 Causeway Street
Boston, MA 02222
Via electronic mail

Gayle D. Carson
500 Willard Street, Unit 402
Quincy, MA 02169
Co-borrower
Via USPS

Kathleen L. Kane, Esq.
Spillane Law Offices
1212 Hancock Street, Suite 200
Quincy, MA 02169
Debtor's Counsel
Via electronic mail

Tax Collector
City of Quincy
1305 Hancock St.
Quincy, MA 02169
Via USPS

Granite Estates
62 South Street
Quincy, MA 02169
Condominium Association
Via USPS

/s/ Amy Lipman-White
Amy Lipman-White, Esq.